

MEDICAL BOARD OF CALIFORNIA BOARD OF PODIATRIC MEDICINE

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| $\frac{1}{2}$ | RAYMOND K. CHENG, A.I.A., <i>President</i> ALEIDA GERENA-RIOS ELIZABETH A. GRADDY, Ph.E JAMES R. LA ROSE, D.P.M., <i>Vice President</i> MICHAEL J. LEVI, D.P.M. ROBERT N. MOHR, D.P.M. HIENVU CHUC NGUYEN, D.P.M. |
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| 4 | Board of Podiatric Medicine |
| 5 | Public Meeting Minutes |
| 6 | Millbrae, California |
| 7 | September 30, 2005 |
| 8 | September 20, 2000 |
| 9 | A public meeting of the California Board of Podiatric Medicine (BPM) was held September 30, |
| 10 | 2005 in the Poplar Room of the Westin Hotel San Francisco Airport, 1 Old Bayshore Highway, |
| 11 12 | Millbrae. Due notice had been sent to all known interested parties. |
| 13 | 1. Call to order/Member roll call |
| 14 | |
| 15 | President Cheng called the meeting to order at 8:00 AM. A quorum was established with the |
| 16 | following Members present: |
| 17 | |
| 18 | Raymond K. Cheng, AIA |
| 19 | Aleida Gerena-Rios |
| 20 21 | Michael J. Levi, D.P.M Robert N. Mohr, DPM |
| 22 | Hienvu C. Nguyen, D.P.M. |
| 23 | menvu C. Nguyen, D.I .ivi. |
| 24 | Mr. Cheng welcomed Dr. Nguyen and Dr. Levi, Governor Schwarzenegger's most recent |
| 25 | appointees to the Board, and swore Dr. Levi into office. Dr. Nguyen had already been sworn in. |
| 26 | approximation of the contract |
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| 28 | 2. Public Hearings on Disciplinary Reconsiderations |
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| 30 | Mr. Cheng turned the gavel over to Administrative Law Judge Amanda Behe for the following |
| 31 | hearings: |
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| 33 | a. In the Matter of the Accusation and Petition to Revoke Probation |
| 34 | against Steven H. Savran, DPM (E-2891) following granting of |
| 35 | Petition of Reconsideration filed by Attorney General |
| 36 | h. In the Metter of the Accusation against Devel 1721- Leave - DDM |
| 37 | b. In the Matter of the Accusation against David Kile Jenne, DPM (F. 2017) following greating of Potition of Peccancideration filed on |
| 38 39 | (E-3917) following granting of Petition of Reconsideration filed on behalf of respondent |
| 40 | ochan of respondent |
| 41 | |
| 42 | "Roards are established to protect the people of California " |

Section 101.6, B&P Code

1 2

Neither Dr. Savran nor Dr. Jenne appeared, and Dr. Savran was not represented by counsel. Russell Iungerich appeared as counsel for Dr. Jenne, whose hearing commenced at 8:08 AM. Deputy Attorney General E.A. Jones appeared in the Savran case, as Deputy Attorney General Samuel Hammond did in the Jenne matter. The later hearing began at 8:34 AM.

At 9:15 AM, the Board went into closed session pursuant to Government Code §11126(c)(3). It returned to open session at 10:20 AM. President Cheng announced that the Board had reached its decision in both matters.

3. Approval of Minutes

Ms. Gerena-Rios moved and Dr. Levi seconded approval of the January 28 and August 26 minutes as drafted. The motion passed 5-0.

4. Public Hearing on Proposed Amendment to Regulations

Following a public hearing at which there was no testimony, Ms. Gerena-Rios moved and Dr. Nguyen seconded approval of revisions to Section 1399.710 of Title 16, Division 13.9, Article 11 (Disciplinary Guidelines). The motion passed 5-0. The Board requested that staff provide a clean, up-to-date copy of the *Manual of Disciplinary Guidelines* at or before the December 2 Board Meeting.

5. Strategic Plan

The Board reviewed the *Strategic Plan* to provide guidance to staff in preparing a draft revision for action at the December 2 Board Meeting.

President Cheng suggested the Board's Public Outreach Committee discuss options for advising licensees of disciplinary updates, such as significant changes in the *Manual of Disciplinary Guidelines*.

Dr. Nguyen suggested looking at what information is provided to new licensees and said he would work with staff in this regard.

The Board also requested that staff advise licensees when the U.S. Centers for Medicare & Medicaid Services' 42 CFR Part 482 [CMS–3122–P] goes into effect regarding DPMs performing history and physical examinations.

6. Additional Public Comments

Donald E. Elvander, DPM, Emeritus Member of the Shriners Hospital for Children--Northern California Board of Governors, invited BPM to hold its December 2 meeting in the Shriners' Sacramento facility.

- J. Brian Warne, DPM, Vice President of the California Podiatric Medical Association,
- 51 commented on BPM's good communication with its licensees, CPMA Board and CPMA's
- 52 component societies around the state.

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| 2 | Mikia Wallis, a law student with the Center for Public Interest Law (CPIL), University of San |
| 3 | Diego, also attended to monitor BPM and summarize its proceedings for CPIL's California |
| 4 | Regulatory Law Reporter. |
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| 7 | 7. Adjournment |
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| 9 | Having completed all business, the Board then adjourned at 11:50 AM. |
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| 12 | Prepared by Jim Rathlesberger |
| 13 | and submitted to the Board for approval at its December 2, 2005 meeting. |
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| 15 | APPROVED: |
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| 18 | Raymond K. Cheng, AIA |
| 19 | President, Board of Podiatric Medicine |